

**MARGIE L. RICE**  
**Mayor**

**ANDY QUACH**  
**Mayor Pro Tem**

**FRANK G. FRY**  
**Council Member**

**KERMIT MARSH**  
**Council Member**

**TRI TA**  
**Council Member**



# **AGENDA**

## **CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING**

**June 25, 2008**

**7:00 p.m. – Council Chambers**

**8200 WESTMINSTER BOULEVARD  
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

## **AGENDA INFORMATION**

### **MEETINGS**

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

### **AGENDA INFORMATION**

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

### **PUBLIC COMMENTS**

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### **AGENDA ON THE INTERNET:**

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### **TELEVISED MEETING SCHEDULE**

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

### **PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT**

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

# **AGENDA**

June 25, 2008

**7:00 P.M.**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **CONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, QUACH, FRY, MARSH, TA

PRESENT:

ABSENT:

**SALUTE TO FLAG:** City Attorney

**INVOCATION:**

### **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

### **SPECIAL PRESENTATIONS:**

- A. Presentation of Police Department Merits Awards for 2007
- B. Westminster Chamber of Commerce Report on Upcoming Events & Annual Report
- C. American Planning Association Education Award to the City of Westminster and The Planning Center

### **REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS**

NOTE: Any writings or documents provided to a majority of the City Council/Agency Board regarding any item on this agenda is available for public inspection at the public counter at City Hall located at 8200 Westminster Boulevard, Westminster, CA during normal business hours, except such documents that relate to closed session items or which are otherwise exempt from disclosure under applicable law. These writings are also available for review in the public access binder located in the entryway to the Council Chambers.

# AGENDA

June 25, 2008

## 1. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY, THE PUBLIC, OR STAFF REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

COMPLETE THE ATTACHED GREEN FORM AND GIVE TO THE CITY CLERK PRIOR TO THE CONSENT CALENDAR PORTION OF THE AGENDA. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

### **ROUTINE MATTERS**

#### **1.1 (Agency) Agreement with the Westminster Chamber of Commerce** (Tami Piscotty)

RECOMMENDATION: Staff recommends that the Chair and Agency Board approve the agreement with the Westminster Chamber of Commerce in the amount of \$36,374 for publicity and advertising purposes for the Fiscal Year 2008-09 and authorize the Executive Director to execute the agreement on behalf of the Agency.

#### **1.2 Amendment No. 2 to New Water Meter Installation and Meter Exchange Program City-Wide for FY 2008-09** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 2 to the Contract with Atlas Allied in the amount of \$200,000.00 and authorize the City Manager to execute the amendment on behalf of the City.

#### **1.3 Notice of Completion for work performed by A.J. Fistes Corporation for Painting of Selected Areas at the Corporation Yard and City Buildings** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the subject project and authorize the City Clerk to file a Notice of Completion with the County Recorder's Office.

#### **1.4 Update on Go Local (Step 1) Transit Needs Assessment Study and Go Local (Step 2) Participation** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Go Local (Step 1) study concepts and Go Local (Step 2) participation.

# AGENDA

June 25, 2008

## 1. **CONSENT CALENDAR (Continued)**

### 1.5 **Award of Option Year Renewable Contract for the Purchase of Resilient Wedge Valves and Grip Rings for FY 2008-09.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to C. Wells Pipeline Materials in the amount of \$15,000 for a one year contract, with four (4) option year renewals, to purchase resilient wedge valves and romac grip ring pipe restrainers for FY 2008-09.

### 1.6 **Award of Option Year Renewable Contract for the Purchase of Brass Pipeline Materials for FY 2008-09.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Yo Fire Supply in the amount of \$25,000 for a one year contract, with four (4) option year renewals, to purchase brass pipeline materials for FY 2008-09.

### 1.7 **Award of Option Year Renewable Contract for Purchase of Miscellaneous Pipeline Materials for FY 2008/09.** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Yo Fire Supply in the amount of \$25,000 for a one year contract, with four (4) option year renewals, to purchase miscellaneous pipeline materials for FY 2008-09.

### 1.8 **(City/Agency) 2008 Statement of Investment Policy** (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board approve the 2008 City of Westminster/Westminster Redevelopment Agency Statement of Investment Policy.

## **ORDINANCES (SECOND READING)/RESOLUTIONS**

### 1.9 **Ordinance No. 2430 – An Ordinance of the Mayor and City Council of the City of Westminster Amending Sections 9.38.010 through 9.38.070 and Section 9.38.090 of Title 9 (Public Peace, Morals, and Welfare) of the Westminster Municipal Code, Relating to Graffiti.** (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2430 and waive further reading.

### 1.10 **Ordinance No. 2431 - An Ordinance of the Mayor and City Council of the City of Westminster Amending Chapter 2.68 (Personnel System) of the Westminster Municipal Code Excepting the Community Development Director from the Classified Service.** (Eddie Manfro)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2431 and waive further reading.

# AGENDA

June 25, 2008

## 1. CONSENT CALENDAR (Continued)

- 1.11 Ordinance No. 2432 - An Ordinance of the Mayor and City Council of the City of Westminster amending Title 17 (Land Use) of the Westminster Municipal Code to establish Section 17.48.020 Accessory Uses to establish development standards and procedures for large family day care (7 - 14 children) facilities in the single family residential district. (Case No. 2008-01) (Art Bashmakian)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2432 and waive further reading.

- 1.12 Resolution No. 4160 – A Resolution of the Mayor and City Council of the City of Westminster Establishing the Limits of the Underground Utility District No. 6 Within the Bolsa Corridor, and Rescinding Resolution No. 3818. (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4160.

- 1.13 Resolutions Providing for Certain Terms and Conditions of Employment. (Eddie Manfro)**

- 1) Resolution No. 4161 entitled, “A Resolution of the Mayor and City Council of the City of Westminster Providing for a Compensation Plan for the Management/Administrative/Confidential Employees of the City of Westminster”.**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4161.

- 2) Resolution No. 4162 entitled, “A Resolution of the Mayor and City Council of the City of Westminster Adopting a Template for an Employment Agreement for At-Will Employees of the City of Westminster”.**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4162.

## **WARRANT REGISTER**

- 1.14 (City Council/Redevelopment Agency) Warrant Register dated June 4 through 17, 2008. (Paul Espinoza)**

RECOMMENDATION: Approve.

# AGENDA

June 25, 2008

## 1. CONSENT CALENDAR (Continued)

### INFORMATION AND REPORTS

#### 1.15 **Treasurer's Report – April 2008** (Paul Espinoza)

RECOMMENDATION: Receive and file.

#### 1.16 **Minutes of the Cultural Arts Commission meeting held on April 3, 2008.** (Greg Johnson)

RECOMMENDATION: Receive and file.

#### 1.17 **Minutes of the Planning Commission meeting held on May 7, 2008.** (Don Anderson)

RECOMMENDATION: Receive and file.

#### 1.18 **Community Development Monthly Activity Report – May 2008.** (Don Anderson)

RECOMMENDATION: Receive and file.

#### 1.19 **Minutes of the Youth Committee meeting held on March 12, 2008.** (Greg Johnson)

RECOMMENDATION: Receive and file.

#### 1.20 **Minutes of the Commission on Aging meeting held on January 14, 2008.** (Greg Johnson)

RECOMMENDATION: Receive and file.

#### 1.21 **Minutes of the Traffic Commission meeting held on April 29, 2008.** (Marwan Youssef)

RECOMMENDATION: Receive and file.

### END OF CONSENT CALENDAR

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# AGENDA

June 25, 2008

## 2. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS OF INTEREST NOT ON THE AGENDA THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/AGENCY BOARD. COMMENTS SHALL BE LIMITED TO THREE MINUTES PER SPEAKER.

COMPLETE THE ATTACHED GREEN FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

## 3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

### 3.1 The actions of the Planning Commission meeting held on June 18, 2008.

RECOMMENDATION: That the City Council determine if they wish to call up any items for review from the Planning Commission meeting of June 18, 2008.

- 1) Case No. 2008-39 Site Plan and Design Review. Proposed redevelopment of existing Heritage Park located at the northwest corner of Hazard Avenue and Beach Boulevard with a new single story 4,885 square-foot public building. The new building will house the Westminster Chamber of Commerce and will also provide a joint use community meeting room for the City of Westminster. 14471 Beach Boulevard.
- 2) Case No. 2007-85 Zone Text Amendment. City initiated code amendment to establish development standards which will regulate the use and placement of canopies and tarps, as well as, limit the amount of paving within the front and side yard setbacks on residential properties. Citywide.
- 3) Case No. 2005-58 Substantial Conformance Review. Planning Commission review of architectural design changes of a two-unit condominium development to determine if changes are in substantial conformance with the previously approved design. 14072 Goldenwest Street.
- 4) Proposed Capital Improvement Projects for Fiscal Year 2008/2009. Planning Commission review of proposed projects to determine if the proposed projects are consistent with the City's General Plan.
- 5) Case No. 2006-82 Conditional Use Permit Review. Six month review of the operations of a computer gaming arcade (Howies Game Shack) with live disc jockey. 1025 Westminster Mall.



# AGENDA

June 25, 2008

## 4. PUBLIC HEARINGS

ANYONE WISHING TO SPEAK ON AN OPEN PUBLIC HEARING IS REQUESTED TO COMPLETE THE ATTACHED PINK FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

AFTER THE PUBLIC HEARING IS OPENED, PERSONS SPEAKING IN FAVOR WILL BE HEARD FIRST, FOLLOWED BY THOSE PERSONS SPEAKING IN OPPOSITION; AND THEN PERSONS SPEAKING IN REBUTTAL. ONLY THOSE PERSONS WHO HAVE SPOKEN IN FAVOR WILL BE PERMITTED TO SPEAK IN REBUTTAL. SPOKESPERSON(S) DESIGNATED TO SPEAK IN FAVOR OR IN OPPOSITION WILL HAVE TWELVE (12) MINUTES TO SPEAK. THEREAFTER, EACH PERSON SPEAKING IN FAVOR OR IN OPPOSITION WILL HAVE THREE (3) MINUTES. THE TOTAL TIME FOR SPEAKING IN FAVOR OR IN OPPOSITION SHALL NOT EXCEED 30 MINUTES. THOSE PERSONS SPEAKING IN REBUTTAL WILL HAVE THREE MINUTES EACH, OR A TOTAL OF 20 MINUTES. THE CITY COUNCIL MAY USE ITS DISCRETION TO ALLOW A SPEAKER TO EXCEED TIME LIMITS.

**NOTE:** IF A CHALLENGE IS MADE BY ANY PARTY IN COURT FROM ACTIONS ARISING OUT OF A PUBLIC HEARING, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE OR IN WRITTEN CORRESPONDENCE DELIVERED AT THE PUBLIC HEARING OR PRIOR THERETO.

### 4.1 ADOPTION OF THE BUDGET FOR THE 2008-10 FISCAL YEARS AND APPROPRIATION OF THE BUDGET FOR 2008-09 ONLY. (Paul Espinoza)

Staff Report

Mayor and City Council Discussion

Open Public Hearing

Speaking in Favor

Speaking in Opposition

Speaking in Rebuttal (*only those who spoke in favor can speak in rebuttal*)

Close Public Hearing

Mayor and Council Member Comments

Council Action

# AGENDA

June 25, 2008

## **4.1 ADOPTION OF THE BUDGET FOR THE 2008-10 FISCAL YEARS AND APPROPRIATION OF THE BUDGET FOR 2008-09 ONLY. (Continued)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt:

- 1) Resolution No. 4157 entitled, “ A Resolution of the Mayor and City Council of the City of Westminster adopting the budget for the 2008-10 fiscal years and appropriating funds for fiscal year 2008-09 only;”
- 2) Resolution No. 4156 entitled, “A Resolution of the Mayor and City Council of the City of Westminster establishing the Article XIII B Appropriation Limit for the 2008-09 fiscal year.”

Staff recommends that Public Financing Authority Board adopt

- 1) Resolution No. 31 entitled, “A Resolution of the Westminster Public Financing Authority adopting the City of Westminster Budget for the 2008-10 fiscal years and appropriating funds for fiscal year 2008-09 only.”

Staff recommends that the Redevelopment Agency Board adopt:

- 1) Resolution No. 191 entitled, “A Resolution of the Westminster Redevelopment Agency adopting the budget for the 2008-10 fiscal years, and appropriating funds for fiscal year 2008-09 only.”

## **5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**

### **5.1 Council/Agency Member Items**

### **5.2 AB 1234 Reports**

## **6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

### **6.1 Status of the Moran and Weststate Streets Business Area Land Use Study and a Request to Appropriate Funds for Planning Consulting Services to initiate the Development of a Comprehensive Plan and associated Environmental Analysis. (Art Bashmakian)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Receive and file the status report on the Moran and Weststate Streets Business Area Land Use Study and direct staff to initiate the development of a comprehensive plan which will first study the parking and traffic issues then based on the studies formulate standards and procedures to allow a mix of uses including retail, hotel, entertainment, office and possibly residential; and

**(Continued)**

# AGENDA

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## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR (Continued)

- 2) Authorize an appropriation of \$80,000 from the Community Development Fund – 285 Undesignated Balance to Planning & Zoning Contractual to supplement the \$243,000 stipulated in the 2008/09 & 2009/10 Budget in order to facilitate the parking and traffic study; and
- 3) Approve a Consulting Services Agreement with The Planning Center in an amount not to exceed \$323,500 and authorize the City Manager to execute the amendment on behalf of the City.

### 6.2 Award of Professional Services Agreement for Street Sweeping Services. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve an allocation of \$158,255 from the General Fund to cover the cost increase of street sweeping services; and
- 2) Award a Professional Services Agreement to R. F. Dickson in the amount of \$348,825 to provide street sweeping services and authorize the City Manager to execute the agreement on behalf of the City.

### 6.3 Authorization to Increase Purchase Order No. 4450 with Truesdail Laboratories, Inc., for Water Sampling Contract (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve an appropriation of \$10,000.00 from the Water Utility Restricted/Unrestricted fund balance to Utility Production and Supply - Contractual; and
- 2) Approve an increase of \$10,000.00 to Purchase Order No. 4450 to Truesdail Laboratories, Inc. for water sampling lab fees.

### 6.4 Amendment No. 1 to a Renewable Bid for Procurement of Cold Water Meters and Accessories (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 1 to a renewable bid for procurement of cold water meters and accessories with Hersey Meters in the amount of \$500,000 and authorize the City Manager to execute the amendment on behalf of the City.

## 7. WRITTEN COMMUNICATIONS (Public) – None.

## 8. LEGISLATIVE ITEMS – None.

# AGENDA

June 25, 2008

## 9. COMMISSION AND COMMITTEE ITEMS

### 9.1 Request to Install Parking Restrictions at 15355 Brookhurst Street – T.C. 76-154 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission and adopt Resolution No. 4158 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Providing for No Parking or Stopping at a Certain Location on the West Side of Brookhurst Street, South of Bishop Place."

### 10. COUNCIL/AGENCY ADJOURNMENT: To Wednesday, July 9, 2008 at 5:30 p.m. in the Council Chambers, 8200 Westminster Boulevard, Westminster, California to discuss and review Westminster Mall Revitalization Alternatives by the Urban Planning Graduate Studio at the University of California, Irvine.

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

*Marian Contreras*

Marian Contreras, City Clerk/Agency Secretary